

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ALABAMA
MIDDLE DIVISION

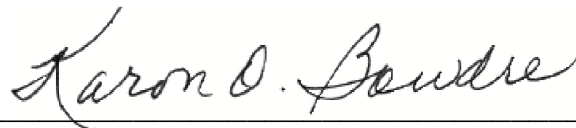
Edward R. Lane,)	
)	
Plaintiff,)	
)	
vs.)	CV-11-BE-0883-M
)	
Central Alabama Community College,)	
et al.,)	
)	
Defendants.)	

ORDER

This matter is before the court on the “Defendants’ Motion to Dismiss and Supporting Brief.” (Doc. 4). The court has reviewed the motion, the Plaintiff’s response, the pleadings, and the applicable law, and finds that the motion is due to be GRANTED IN PART and DENIED IN PART. Accordingly, the court orders as follows:

1. The motion is DENIED as to Counts I and II because the court finds the Plaintiff has pled sufficient facts to support these claims;
2. The motion is GRANTED as to Count III for failure to sufficiently plead facts that state a claim upon which relief can be granted as to the alleged conspiracy.
3. Count III is DISMISSED WITHOUT PREJUDICE and the Plaintiff is granted leave to amend its complaint by or before Tuesday, May 24, 2011.

DONE and ORDERED this 10th day of May, 2011.

A handwritten signature in cursive script, reading "Karon O. Bowdre". The signature is written in dark ink and is positioned above a horizontal line.

KARON OWEN BOWDRE
UNITED STATES DISTRICT JUDGE